

consumers about device risks. It is now the responsibility of Congress to correct the Court's dangerous mistake.

Patients who are injured by medical devices often suffer permanent, debilitating injuries or even death. They need the ability to hold the negligent medical device manufacturer accountable for their injuries. If not, private health insurance companies and Medicare or Medicaid would be left footing the bill to pay for those injuries; and, ultimately, the taxpayer pays for the medical device manufacturer's mistake.

This narrow piece of legislation is necessary to address the Riegel decision and to ensure that it is not then applied to afford total immunity to medical device manufacturers throughout the country. It also will make certain that patients injured by medical devices can have their claims heard by a judge and jury and will prevent courts from summarily dismissing claims without ever hearing the facts. Finally, it restores congressional intent by explicitly stating that actions for damages under State law are preserved.

I urge my colleagues to join me in cosponsoring and enacting the Medical Device Safety Act so that we can restore long-standing consumer protections.

PERSONAL EXPLANATION

HON. TIM MAHONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 26, 2008

Mr. MAHONEY of Florida. Madam Speaker, on Wednesday, June 25, 2008, I was unable to be in Washington, D.C. due to my attendance at the funeral of a personal friend in my district.

Had I been able to vote, I would have voted the following ways on the below listed rollcall votes: 449—"yea"; 450—"yea"; 451—"yea"; 452—"yea"; 453—"yea"; 454—"nay"; 455—"nay"; 456—"yea"; 457—"yea"; 458—"nay"; 459—"yea"; 460—"yea"; 461—"yea."

ALTERNATIVE MINIMUM TAX RELIEF ACT OF 2008

SPEECH OF

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 25, 2008

Mr. UDALL of Colorado. Mr. Speaker, I will vote for this bill because of the need to protect middle-income families from a massive tax increase that will hit them if we do not act to adjust the Alternative Minimum Tax, or AMT.

In technical terms, the bill would extend for one year AMT relief for nonrefundable personal credits and increases the AMT exemption amount to \$69,950 for joint filers and \$46,200 for individuals. In real-world terms, that means it will prevent a tax increase for more than 28,000 Colorado households that otherwise would be required to pay more in Federal income tax when returns are due next year. And so, Mr. Speaker, the bill overall is properly focused on tax relief for middle class families—a goal I strongly support.

Some of our colleagues say they will oppose the bill because it includes provisions

that would close loopholes and make other changes in the tax laws in order to offset this tax relief. They evidently are not concerned about the fact that the federal budget is deeply into deficit spending.

I do have some reservations about how the bill seeks to provide AMT tax relief without making our Federal deficit worse. But I do not take a relaxed attitude to our fiscal problems, and think it is better to avoid adding to them—and that is the purpose of the offset provisions of the bill.

One such provision would revise current law so investment fund managers would no longer pay capital gains rates on the income they receive for investment management services income that does not reflect a reasonable return on their own invested capital. This change was approved by the House last year in H.R. 3996, which I supported. In addition, the bill would exclude from the domestic production deduction the gross receipts derived from the sale, exchange or other disposition of oil, natural gas, or any primary product thereof for large integrated oil companies. And it would freeze at 6 percent—the rate under current law—the domestic production deduction for income of other taxpayers with respect to oil, natural gas or any primary product thereof. This is also not new—it is a scaled-back version of an outright repeal of this deduction for all oil, natural gas or any primary product thereof that passed the House last year.

And the bill would prevent foreign multinational corporations incorporated in tax haven countries from avoiding tax on income earned in the United States by routing their income through structures in which a United States subsidiary corporation makes a deductible payment to a country with which the United States has a tax treaty before ultimately repatriating these earnings in the tax haven country. This is a scaled-back version of a previously approved by the House of Representatives as part of H.R. 2419. Further, the bill includes a proposal that was in the president's latest budget request that will require institutions that make payments to merchants in settlement of payment card transactions to file an information return with the IRS.

These provisions are not the only or perhaps even the best way to offset the revenue costs of providing a temporary fix to the AMT—but the bill's opponents have suggested no alternative except to cut unspecified amounts of spending in unspecified parts of the budget or to further add to the "debt tax" that has already been imposed on our children (and their children) by the irresponsible policies of the last seven years.

The Senate will have to consider the legislation further, and it is possible that these provisions will be revised. But, in the meantime, the bottom line is that today we have the opportunity to provide tax relief to hundreds of thousands of middle-class families in Colorado. I think that is something I think the House should do without delay, and that is why I am voting for this bill.

SUPPLEMENTAL APPROPRIATIONS ACT, 2008

SPEECH OF

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 19, 2008

Mr. TIAHRT. Mr. Speaker, I offer my support for the passage of both amendments which constitute H.R. 2642, the Iraq/Afghanistan Supplemental Appropriations. Our service personnel serving abroad and here at home deserve the full support of this Congress. After months of partisan posturing by the Democrat Leadership, this bill finally puts the needs of our troops above the needs of politicians.

This bipartisan agreement provides \$161.8 billion for the Department of Defense (DoD) to carry out the will of this nation. This funding pays the salaries and benefits of military and DoD civilian personnel, the fuel for their vehicles, and ammunition for their guns. This funding also takes care of their loved ones left behind.

In addition to providing for our service personnel in combat, this important legislation expands the GI education benefits for our veterans and extends unemployment insurance. Although unrelated to the primary purpose of this legislation, I agree that these are vital priorities to the American people.

In December 1943 when Kansan Harry Colmery wrote the guiding principles that would become the GI Bill of Rights, the promise was clear. Veterans returning from war would be provided with free education and a host of other benefits as a token of America's thanks for their service. Today, returning veterans receive many of these same benefits, but the value of the educational benefits has fallen due to the rapid rise in the cost of higher education.

The important educational expansion to the GI Bill found in H.R. 2642 renews the promise first proposed by Harry Colmery. Service members in Iraq, Afghanistan, and around the world fighting the Global War on Terror deserve our support while in uniform and when their duty is complete. As a Kansan, I am proud of the work Mr. Colmery started in 1943 and the work Congress continues today with the passage of this legislation.

This bill provides increased educational benefits for all members of the military who have served on active duty since September 11, 2001. The new benefit includes tuition reimbursement equal to the established cost regularly charged for in-state tuition at a public institution of higher education, a housing allowance, and a stipend for supplies and equipment for four academic years. The amount of the benefit is determined by the length of time, after September 11, 2001, the service member was on active duty. This provision also allows educational benefits to be transferred to the spouse or child of a service member.

As a co-sponsor of H.R. 5740, which provided the base concepts of this GI Bill expansion provision, I am very pleased that these benefits were included in H.R. 2642. Thankfully these much deserved benefits are not linked to a tax increase on small businesses, which was the case on an earlier version of the Iraq/Afghanistan Supplemental Appropriations.

In addition to providing funding for our troops fighting the Global War on Terror and